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8 Moonbug Entertainment Limited and
Treasure Studio, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

14 MOONBUG ENTERTAINMENT
15 LIMITED and TREASURE STUDIO, INC.,

16 Plaintiffs,

17 v.

18 BABYBUS (FUJIAN) NETWORK
TECHNOLOGY CO., LTD.,

19 Defendant.

20 BABYBUS (FUJIAN) NETWORK
21 TECHNOLOGY CO., LTD.,

22 Counter-Plaintiff,

23 v.

24 MOONBUG ENTERTAINMENT
LIMITED and TREASURE STUDIO, INC.,

25 Counter-Defendants.

Case No: 3:21-cv-06536-EMC

**DECLARATION OF CIARA MCHALE
IN SUPPORT OF PLAINTIFFS'
MOTION TO DISMISS
COUNTERCLAIMS AND TO STRIKE
COUNTERCLAIMS UNDER
CALIFORNIA ANTI-SLAPP LAW**

I, Ciara McHale, do hereby declare as follows:

1. I am an attorney at law licensed to practice in the State of California and the Northern District of California. I am an attorney at the law firm Tyz Law Group PC, attorneys of record for Plaintiffs Moonbug Entertainment Limited and Treasure Studio, Inc. (together, "Moonbug"), in the above captioned matter. I have personal knowledge of the matters set forth in this declaration and, if called to testify as a witness, would be competent to testify as follows.

Moonbug's DMCA Notices

2. On July 20, 2021, I began submitting copyright infringement notifications (*i.e.*, DMCA takedown notices) to YouTube on behalf of Moonbug Entertainment Limited regarding Defendant’s infringing Super JoJo videos and channels. Exhibits 1 through 9 are emails I received from YouTube in response to and including the information submitted in the nine DMCA takedown notices that, prior to YouTube’s termination of Defendant’s English-language Super JoJo channel, resulted in YouTube’s removal of a Super JoJo video, as referenced in ¶¶ 18–19 of the Counterclaims.

3. Attached as **Exhibit 1** is a true and correct copy of an email I received from YouTube on July 29, 2021 with the subject line “YouTube Copyright Complaint Submission,” confirming my submission of a DMCA takedown notice for the video at the URL identified in the email and showing the information I provided in the submitted initial takedown request webform. On August 6, 2021, I received an email from YouTube confirming the removal of the video referenced in Exhibit 1.

4. Attached as **Exhibit 2** is a true and correct copy of an email I received from YouTube on July 30, 2021 with the subject line “YouTube Copyright Complaint Submission,” confirming my submission of a DMCA takedown notice for the video at the URL identified in the email and showing the information I provided in the submitted initial takedown request webform. On August 11, 2021, I received an email from YouTube confirming the removal of the video referenced in Exhibit 2.

5. Attached as **Exhibit 3** is a true and correct copy of an email I received from YouTube on July 29, 2021 with the subject line “YouTube Copyright Complaint Submission.”

1 confirming my submission of a DMCA takedown notice for the video at the URL identified in
2 the email and showing the information I provided in the submitted initial takedown request
3 webform. On August 11, 2021, I received an email from YouTube confirming the removal of the
4 video referenced in Exhibit 3.

5 6. Attached as **Exhibit 4** is a true and correct copy of an email I received from
6 YouTube on July 30, 2021 with the subject line “YouTube Copyright Complaint Submission,”
7 confirming my submission of a DMCA takedown notice for the video at the URL identified in
8 the email and showing the information I provided in the submitted initial takedown request
9 webform. On August 11, 2021, I received an email from YouTube confirming the removal of the
10 video referenced in Exhibit 4.

11 7. Attached as **Exhibit 5** is a true and correct copy of an email I received from
12 YouTube on July 29, 2021 with the subject line “YouTube Copyright Complaint Submission,”
13 confirming my submission of a DMCA takedown notice for the video at the URL identified
14 in the email and showing the information I provided in the submitted initial takedown request
15 webform. On August 6, 2021, I received an email from YouTube confirming the removal of the
16 video referenced in Exhibit 5.

17 8. Attached as **Exhibit 6** is a true and correct copy of an email I received from
18 YouTube on July 30, 2021 with the subject line “YouTube Copyright Complaint Submission,”
19 confirming my submission of a DMCA takedown notice for the video at the URL identified
20 in the email and showing the information I provided in the submitted initial takedown request
21 webform. On August 11, 2021, I received an email from YouTube confirming the removal of the
22 video referenced in Exhibit 6.

23 9. Attached as **Exhibit 7** is a true and correct copy of an email I received from
24 YouTube on July 28, 2021 with the subject line “YouTube Copyright Complaint Submission,”
25 confirming my submission of a DMCA takedown notice for the video at the URL identified in
26 the email and showing the information I provided in the submitted initial takedown request
27 webform. On July 30, 2021, I received an email from YouTube confirming the removal of the
28 video referenced in Exhibit 7.

1 10. Attached as **Exhibit 8** is a true and correct copy of an email I received from
2 YouTube on July 28, 2021 with the subject line “YouTube Copyright Complaint Submission,”
3 confirming my submission of a DMCA takedown notice for the video at the at a URL identified
4 in the email and showing the information I provided in the submitted initial takedown request
5 webform. On July 30, 2021, I received an email from YouTube confirming the removal of the
6 video referenced in Exhibit 8.

7 11. Attached as **Exhibit 9** is a true and correct copy of an email I received from
8 YouTube on August 2, 2021 with the subject line “YouTube Copyright Complaint Submission,”
9 confirming my submission of a DMCA takedown notice for the video at the at a URL identified
10 in the email and showing the information I provided in the submitted initial takedown request
11 webform. On August 11, 2021, I received an email from YouTube confirming the removal of the
12 video referenced in Exhibit 9.

13 12. Moonbug Entertainment Limited also sent three letters to YouTube with its
14 DMCA notices, as referenced in ¶ 34 of the Counterclaims.

15 13. The first such letter was sent on July 20, 2021 by my colleague and is described in
16 my previous declaration at Dkt. No. 28 ¶ 19 and attached to that declaration at Dkt. No. 28-17.

17 14. Attached as **Exhibit 10** is a true and correct copy of a July 21, 2021 follow-up
18 letter my colleague sent to YouTube with of Moonbug’s DMCA notices.

19 15. Attached as **Exhibit 11** is a true and correct copy of an August 20, 2021 follow-up
20 letter my colleague sent to YouTube with Moonbug’s DMCA notices.

21 16. Attached as **Exhibit 12** is a true and correct copy of an email chain where the top
22 email in the chain was sent by me to YouTube on August 25, 2021 regarding the DMCA notice
23 that is the subject of Exhibit 8 to this declaration. The Complaint (Dkt. No. 1) was attached to
24 this email.

25 17. Attached as **Exhibit 13** is a true and correct copy of an email chain where the top
26 email in the chain was sent by me to YouTube on August 25, 2021 regarding the DMCA notice
27 that is the subject of Exhibit 8 to this declaration. A zip file containing Exhibits 1 through 8 to
28

1 the Complaint (Dkt. Nos. 1-1 to 1-8) and the letter attached to this declaration as Exhibit 11 were
2 attached to this email.

3 **YouTube's DMCA Notice Policies**

4 18. Attached as **Exhibit 14** is a true and correct copy of a document on YouTube's
5 publicly available YouTube Help webpage titled "Requirements for copyright infringement
6 notifications: Videos," available at <https://support.google.com/youtube/answer/6005900?hl=en>.

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8 I declare penalty of perjury that the foregoing is true and correct. Executed on October
9 19, 2021.

10 */s/ Ciara McHale*

11 Ciara McHale

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